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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 12-mj-70647MAG
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CHANGING HEARING DATE
)	AND EXCLUDING TIME
RICHARD KEITH GOLSTON,)	
)	
Defendant.)	
_____)	

The Court has set August 21, 2012 as the date for a preliminary hearing or arraignment.

The parties hereby stipulate to move the preliminary hearing or arraignment date to September 27, 2012, and they request that the Court extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is necessary for the parties to explore possible pre-indictment resolution, to produce and to receive initial discovery, and for effective preparation of counsel.

Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of time, and the parties represent that good cause exists for this extension, including the effective

1 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties
 2 also request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the
 3 date of this Order through September 27, 2012. The parties also agree that the ends of justice
 4 served by granting such an exclusion of time outweigh the best interests of the public and the
 5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6
 7 SO STIPULATED:

8 MELINDA HAAG
 United States Attorney

9 DATED: August 20, 2012

10 /s/
 KEVIN J. BARRY
 Assistant United States Attorney

11
 12 DATED: August 20, 2012

13 /s/
 ELIZABETH M. FALK
 Attorney for RICHARD GOLSTON

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 21 ~~PROPOSED~~ ORDER

22 For the reasons stated above, the Court sets September 27, 2012, as the date for the
 23 arraignment or preliminary hearing. The Court finds that extension of time limits applicable
 24 under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through September
 25 27, 2012, is warranted; that exclusion of this period from the time limits applicable under 18
 26 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the
 27 interests of the public and the defendant in the prompt disposition of this criminal case; and that
 28 the failure to grant the requested exclusion of time would deny counsel for the defendant and for

1 the government the reasonable time necessary for effective preparation and continuity of
2 counsel, taking into account the exercise of due diligence, and would result in a miscarriage of
3 justice. 18 U.S.C. §3161(h)(7)(B)(iv).

4 IT IS SO ORDERED.

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6 DATED: August 21, 2012

